

AN ORDINANCE approving the awarding of Reference #1605 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and FLEMING EXCAVATING, INC. for the Board of Park Commissioners.

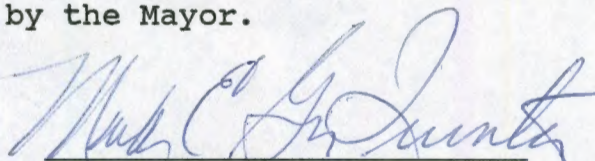
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #1605 between the City of Fort Wayne, by and through its Department of Purchasing and FLEMING EXCAVATING, INC. for the Board of Park Commissioners, respectfully for:

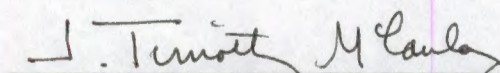
the Lakeside Pond Enhancement Project, including approximately 16,300 cubic yards of earth removal, placing 7000 cubic yards of clay as a liner and construction of a 32 foot long fishing pier and boardwalk (handicapped accessible), clearing, cleanup, and restoration at the north pond;

involving a total cost of One Hundred Forty-Six Thousand Seven Hundred Fifty-Four and no/100 Dollars (\$146,754.00), all as more particularly set forth in said Reference #1605 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Council Member

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCauley, City Attorney

REFERENCE NO.:	1605
DEPARTMENT:	PARK DEPARTMENT
DATE:	07/14/92
ITEM/SERVICE:	LAKESIDE PARK
ADVERTISED BID:	YES
DATES ADVERTISED:	5/21/92 & 5/28/92
DATE OPENED:	6/11/92
WRITTEN QUOTE:	
DATE DUE:	
VERBAL QUOTE:	
SINGLE SOURCE:	
NO. OF VENDORS NOTIFIED:	10
NO. OF VENDORS RECEIVING BID:	5
NO. OF VENDORS RETURNING BID:	5
NO. OF VENDORS DISQUALIFIED:	0
NO. OF VENDORS NOT RESPONDING:	5
DATE SENT TO DEPT FOR RECOMM:	06/18/92.
DATE RECOMM RECEIVED BACK:	07/07/92
DATE SENT TO LAW DEPARTMENT:	07/09/92
INTRODUCTION DATE:	07/14/92
DISCUSSION DATE:	07/21/92
PASSAGE DATE:	07/28/92

REFERENCE NO. 1605
 LAKESIDE POND ENHANCEMENT PROJECT
 OPENED 6/18/92

DESCRIPTION	EARTH CONST	LANDRAIL	KREAGER BROS	FLEMING	KNECHT EXC
POND	\$179,800.00	\$209,540.00	\$137,600.00	\$133,650.00	\$242,000.00
PIER	\$7,700.00	\$7,000.00	\$8,150.00	\$8,150.00	\$8,500.00
WALK	\$990.00	\$810.00	\$750.00	\$954.00	\$1,080.00
OVERFLOW	\$400.00	\$250.00	\$1,500.00	\$500.00	\$500.00
SEEDING	\$700.00	\$2,500.00	\$500.00	\$3,500.00	\$3,200.00
TOTAL BASE:	\$189,590.00	\$220,100.00	\$148,500.00	\$146,754.00	\$255,280.00

ALTERNATES:

COATING	\$1.50	\$1.40	\$1.65	\$1.00	\$1.60
PAVEMENT	\$26.50	\$53.00	\$25.00	\$40.00	\$43.00
POND	\$260,000.00	\$229,240.00	\$169,600.00	\$145,000.00	N/B

If Item 1A is selected, it will replace Item No. 1 in the above Base Bid.

- 1A. Constructing & Deepening Pond
(not using Maumee Park for
Disposal Site)

1 L.S. 145,000.00 145,000.00

5. BIDDER agrees that the Work will be substantially complete within Sixty consecutive calendar days and completed within Seventy-Five consecutive calendar days after the date when the Contract Time commences to run, as provided in Paragraph 2.3 of the General Conditions.

BIDDER accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work on time.

6. The following documents are attached to and made a condition of this Bid:
- a. Bid Security in the form of a bidder's bond or cashier's check in amount of not less than five percent of the total bid price.
 - b. Form 96, Contractor's Bid for Public Works.
 - c. Non-Collusion Affidavit on Form 96 must be signed.
7. The terms used in this Bid which are defined in the General Conditions of the Construction Contract included as part of the Contract Documents have the meanings assigned to them in the General Conditions.

11. Submitted on June 18th, 1992.

BY: Contractor Fleming Excavating, Inc.
(Corporation) X (Partnership) (Individual)

(SEAL)

BY

Gregory A. Fleming
Gregory A. Fleming Vice President
(Name & Title of Person Authorized to sign)

Business Address:

112 E 1000 N

Decatur, IN 46733

Phone Number:

Area Code (219) 724 - 2697

indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, test, reports or similar information or data in respect of said Underground Facilities are or will be required by BIDDER in order to perform and furnish the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of Paragraph 4.3 of the General Conditions.

- f. BIDDER has correlated the results of all such observations, examinations, investigations, explorations, tests, reports and studies with the terms and conditions of the Contract Documents.
 - g. BIDDER has given ENGINEER written notice of all conflicts, errors or discrepancies that it has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to BIDDER.
 - h. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or corporation to refrain from bidding; and BIDDER has not sought collusion to obtain for itself any advantage over any other Bidder or over OWNER.
4. BIDDER will complete the Work for the following prices. Where unit and unit price figures are used as part of the Bid, they will be used in computing the Contractor's payments. Quantities are not guaranteed. Final payment will be based upon the actual quantities placed in the Work.)

BASE BID

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	EXTENSION
1.	Constructing & Deepening Pond	1 L.S.	133,650.00	133,650.00
2.	Wooden Fishing Pier	1 L.S.	8,150.00	8,150.00
3.	Concrete Walk	18 SYS	53.00	954.00
4.	Overflow Structure Modifications	1 L.S.	500.00	500.00
5.	Mulched Seeding	1 L.S.	3,500.00	3,500.00
TOTAL BASE BID				\$ 146,754.00

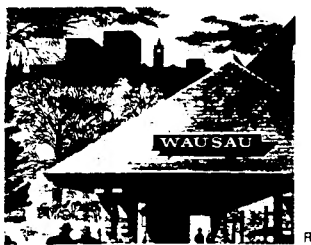
TOTAL BASE BID IN WORDS: One Hundred Forty-Six Thousand and Seven Hundred

Fifty-Four Dollars, 00/100 Cents

ALTERNATE BID ITEMS:

If Item 6 is selected, it will add to the Base Bid above.

- 6. Skidproof Coating 390 SFT 1.00 390.00
- 7. Pavement Replacement at the Unit Price of \$ 40.00 per square yard.



Wausau Insurance Companies

Any correspondence in relation to this
bond should be directed to
WAUSAU INSURANCE COMPANIES
BOND DEPT
2000 WESTWOOD DR
PO BOX 8017
WAUSAU WI 54402-8017

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, Fleming Excavating, Inc.

as Principal, hereinafter called the Principal, and EMPLOYERS INSURANCE OF WAUSAU A Mutual Company

a corporation duly organized under the laws of the State of Wisconsin as Surety, hereinafter called
the Surety are held and firmly bound unto City of Fort Wayne

Board of Park Commissioners
Dept. of Purchasing - Room 350
Fort Wayne, IN 46802

as Obligee, hereinafter called the Obligee, in the sum of 5% of amount bid
Dollars (\$ _____),

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Lakeside Pond Enhancement

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a contract with
the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or
contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt
payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter
such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the
penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith
contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise
to remain in full force and effect.

Signed and sealed this 11th day of June A.D. 19 92

Robert D. Isch
(Witness)

Fleming Excavating, Inc.

(Principal)

(Seal)

Gregory A. Fleming
(Title)

V.P.

EMPLOYERS INSURANCE OF WAUSAU A Mutual Company

(Surety)

(Seal)

Kenda Booher
(Witness)

Carole Brici

Attorney-in-Fact

Carole Brici

EMPLOYERS INSURANCE OF WAUSAU A Mutual Company

POWER OF ATTORNEY (FOR BID BONDS ONLY)

KNOW ALL MEN BY THESE PRESENTS:

That the EMPLOYERS INSURANCE OF WAUSAU A Mutual Company, a corporation duly organized and existing under the laws of the State of Wisconsin, and having its principal office in the City of Wausau, County of Marathon, State of Wisconsin, has made, constituted and appointed, and does by these presents make, constitute and appoint _____
CAROLE BRICI

its true and lawful attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver ANY AND ALL BID BONDS OR WRITTEN DOCUMENTS INVOLVING BID GUARANTEES OR IN THE NATURE THEREAFTER

and to bind the corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the corporation and duly attested by its secretary hereby ratifying and confirming all that the said attorney-in-fact may do in the premises.

This power of attorney is granted pursuant to the following resolution adopted by the Board of Directors of said Company at a meeting duly called and held on the 18th day of May, 1973, which resolution is still in effect:

"RESOLVED, that the President and any Vice President — elective or appointive — of EMPLOYERS INSURANCE OF WAUSAU A Mutual Company be, and that each of them hereby is, authorized to execute powers of attorney qualifying the attorney named in the given power of attorney to execute on behalf of EMPLOYERS INSURANCE OF WAUSAU A Mutual Company bonds, undertakings and all contracts of suretyship; and that any secretary or assistant secretary be, and that each or any of them hereby is, authorized to attest the execution of any such power of attorney, and to attach thereto the seal of EMPLOYERS INSURANCE OF WAUSAU A Mutual Company."

"FURTHER RESOLVED, that the signatures of such officers and the seal of EMPLOYERS INSURANCE OF WAUSAU A Mutual Company may be affixed to any such power of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures and facsimile seal shall be valid and binding upon the EMPLOYERS INSURANCE OF WAUSAU A Mutual Company when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached."

IN WITNESS WHEREOF, EMPLOYERS INSURANCE OF WAUSAU A Mutual Company has caused these presents to be signed by the senior vice president and attested by its assistant secretary, and its corporate seal to be hereto affixed this 1st day of MARCH, 19 91.



EMPLOYERS INSURANCE OF WAUSAU A Mutual Company

By Bill D. Wymore
Bill D. Wymore

Executive Vice President

Attest:

R. J. Besteman
R. J. Besteman Assistant Secretary

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

On this 1st day of MARCH, 19 91, before me personally came
Bill D. Wymore

, to me known, who being by me duly sworn, did depose and say that he is an executive vice president of the EMPLOYERS INSURANCE OF WAUSAU A Mutual Company, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal and that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year herein first above written.

Patricia A. Kleman

Patricia A. Kleman

NOTARY PUBLIC

STATE OF WISCONSIN

MY COMMISSION EXPIRES MAY 29, 1994

CERTIFICATE

Notary Public



STATE OF WISCONSIN)
CITY OF WAUSAU) ss.
COUNTY OF MARATHON)

I, the undersigned, assistant secretary of EMPLOYERS INSURANCE OF WAUSAU A Mutual Company, a Wisconsin corporation, do hereby certify that the foregoing and attached power of attorney, WHICH MUST CONTAIN A VALIDATING STATEMENT PRINTED IN THE MARGIN THEREOF IN RED INK, remains in full force and has not been revoked; and furthermore that the resolution of the Board of Directors set forth in the power of attorney is still in force.

Signed and sealed in the City of Wausau, Marathon County, State of Wisconsin, this 11th day of June, 19 92.



R. J. Besteman

Assistant Secretary

NOTE: IF YOU HAVE ANY QUESTIONS REGARDING THE VALIDITY OR WORDING OF THIS POWER OF ATTORNEY, CALL TOLL FREE (800) 826-1661. (IN WISCONSIN, CALL (800) 472-0041)

WARNING
THIS IS NOT A VALID POWER OF ATTORNEY IF THIS STATEMENT DOES NOT APPEAR IN RED INK.

Bid of

Elewing Excavating, Inc.
(Contractor)

112 E 1000 N

(Address)

Decatur, IN 46733

**For
Public Works Projects
of**

City of Fort Wayne
Board of Park Commissioners

Lakeside Pond Enhancement Project

Filed _____, 19____

Action taken _____

Contractors Bid for Public Works PART I

(To be completed for all bids)
(Please type or print)

Date: June 18, 1992

1. Governmental Unit: City of Fort Wayne, Board of Park Commissioners
2. County: Allen
3. Bidder (Firm): Fleming Excavating, Inc.
Address: 112 E 1000 N
City/State: Decatur, IN 46733
4. Telephone Number: 219-724-2697
5. Agent of Bidder (If applicable): _____

Pursuant to notices given, the undersigned offers to furnish labor and/or material necessary to complete the public works project of City of Fort Wayne (Governmental Unit) in accordance with plans and specifications of said unit for the sum of One Hundred Forty-Six thousand and Seven Hundred and Fifty-Four 00/100 \$ 146,754.00. The undersigned further agrees to furnish a bond or certified check with this bid for an amount specified in the notice of the letting. If alternative bids apply, submit a proposal for each in accordance with the notice.

If additional units of material included in the contract are needed, the cost of units must be the same as that shown in the original contract. If the bid is to be awarded on a unit basis, the itemization of units shall be shown on a separate attachment. The Contractor and his subcontractors, if any, shall not discriminate against or intimidate any employee, or applicant for employment, to be employed in the performance of this contract, with respect to any matter directly or indirectly related to employment because of race, religion, color, sex, national origin or ancestry. Breach of this covenant may be regarded as a material breach of the contract.

Certification of Use of United States Steel Products

(If applicable)

I, the undersigned bidder or agent as a contractor on a public works project, understand my statutory obligation to use steel products made in the United States. I.C. 5-16-8-2. I hereby certify that I and all subcontractors employed by me for this project will use U.S. steel products on this project if awarded. I understand that violations hereunder may result in forfeiture of contractual payments.

Non-Collusion Affidavit

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Oath and Affirmation

I affirm under the penalties of perjury that the foregoing facts and information are true and correct to the best of my knowledge and belief.

Dated at Decatur, Indiana this 18th day of June, 1992.

Fleming Excavating, Inc.

(Name of Organization)

By Gregory A. Fleming

Gregory A. Fleming, Vice President

(Title of Person Signing)

Acknowledgement

STATE OF Indiana

COUNTY OF Adams

SS:

Gregory A. Fleming

Vice President

(Title)

of the above

Fleming Excavating, Inc.

(Name of Organization)

and that the

statements contained in the foregoing bid, certification and affidavit are true and correct.

Subscribed and sworn to before me this 18th day of June, 1992.

Roberta D. Isch
Notary Public Roberta D. Isch

My Commission Expires: 1/25/93

County of Residence: Adams

The above bid is accepted this _____ day of _____, 19_____, subject to the following conditions:

Contracting Authority Members:

PART II

(Complete sections I, II, III and IV for all state and local public works projects as required by statutes.)

Governmental Unit: City of Fort Wayne, Board of Park Commissioners

Bidder (Firm): Fleming Excavating, Inc.

Date: June 18, 1992

These statements to be submitted under oath by each bidder with and as a part of his bid. Attach additional pages for each section as needed.

Section I: Experience Questionnaire

- 1. What public works projects has your organization completed?**

Contract Amount	Class of Work	When Completed	Name and Address of Owner
119,728	Water & Sewer	1991	Monroeville, Indiana
1,627,764	Channel Improvement	1991	Maumee Watershed Conservancy District
139,175	Lift Station	1991	Decatur, Indiana
1,661,194	Sewer & plant	1991	Willshire, Ohio
168,182	Sewer & Lift Station	1991	Decatur, Indiana

- 2. What public works projects has your organization now in process of construction?**

Contract Amount	Class of Work	When to be Completed	Name and Address of Owner
79,995	Sewer & Water	1992	Carrett, Indiana
496,659	Sewer System	1992	Byrant, Indiana
299,783	Lagoons	1992	Bryant, Indiana
297,324	Site Work	1992	N. Adams Community School System, Decatur

3. Have you ever failed to complete any work awarded to you? _____ If so, where and why?

4. List references from private firms for which you have performed work.

Section II: Plan and Equipment Questionnaire

1. Explain your plan or layout for performing proposed work.
2. If you intend to sublet any portion of the work, state the name and address of each subcontractor, equipment to be used by the subcontractor, and whether you expect to require a bond.
3. What equipment do you intend to use for the proposed project?
4. Have you made contracts or received offers for all materials within prices used in preparing your proposal?

Section III: Contractor's Financial Statement

Attachment of bidder's financial statement is mandatory. Any bid submitted without said financial statement as required by statute shall thereby be rendered invalid. The financial statement provided hereunder to the governing body awarding the contract must be specific enough in detail so that said governing body can make a proper determination of the bidder's capability for completing the project if awarded.

Section IV: Oath and Affirmation

I hereby affirm under the penalties of perjury that the facts and information contained in the foregoing bid for public works are true and correct to the best of my knowledge and belief.

Dated at Decatur, Indiana this 18th day of June, 19 92.

Fleming Excavating, Inc.
(Name of Organization)

By Gregory A. Fleming
Gregory A. Fleming, Vice President
(Title of Person Signing)

Acknowledgement

STATE OF Indiana }
COUNTY OF Adams } SS:

Gregory A. Fleming being duly sworn, deposes and says that he is
Vice President of the above Fleming Excavating, Inc. and that the
(Title) (Name of Organization)
answers to the questions in the foregoing questionnaires and all statements therein contained are true and correct.

Subscribed and sworn to before me this 18th day of June, 19 92.

Roberta D. Isch
Notary Public Roberta D. Isch

My Commission Expires: 1/25/93

County of Residence: Adams

Read the first time in full and on motion by Don J. Schneider,
and duly adopted, read the second time by title and referred to the
Committee on Finance (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock
_____, M., E.S.T.

DATED: 7-14-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Edmonds,
and duly adopted, placed on its passage. PASSED LOST
by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
TOTAL VOTES	<u>6</u>			<u>3</u>
BRADBURY				<u>4</u>
EDMONDS	<u>✓</u>			
GiaQUINTA				<u>✓</u>
HENRY				<u>✓</u>
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 7-28-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) ~~(APPROPRIATION)~~ (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. S-117-92
on the 28th day of July, 1992

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Don J. Schneider
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 29th day of July, 1992,
at the hour of 11:00 o'clock A., M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of July,
1992, at the hour of 7:30 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 1605 for the purchase of services for the Lakeside Pond Enhancement Project for the Board of Park Commissioners. The cost reflects the lowest and most responsive of five (5) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Excavation including approximately 16,300 cubic yards of earth removal, placing 7000 cubic yards of clay as a liner. Construction of a 32 foot long fishing pier and boardwalk (handicapped accessible) clearing, cleanup, and restoration at the north pond in Lakeside Park.

IF REPLACEMENT, WHAT NECESSITATES: IDNR fishing study recommends this work to improve fish habitat and help algae problems. Clay liner will stop leakage in pond. (Pond loses 65 GPM)

EFFECT ON NON-PASSAGE: Loss of Indiana Waters Grant Funding. Pond will continue to leak. Weed problems will continue and become worse. Fish kills. Disabled community will not have opportunity to fish at Lakeside.

PRIOR APPROVAL REQUESTED: DATE:

MONIES INVOLVED: Fleming Excavating, Inc. \$146754.00

PRICE AGREEMENT: PURCHASE ORDER: YES

ACCOUNT INFORMATION: Park Department 121-121-P280-4361

S-92-07-01.

BILL NO. S-92-07-01

REPORT OF THE COMMITTEE ON
FINANCE

MARK E. GiaQUINTA, CHAIR
DONALD J. SCHMIDT, VICE CHAIR
EDMONDS, RAVINE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the
awarding of Reference #1605 by the City of Fort Wayne, Indiana,
by and through its Department of Purchasing and FLEMING
EXCAVATING, INC. for the Board of Park Commissioners

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

[Signature: D. Schmidt]
[Signature: D. Ravine]
[Signature: C. Edmonds]
[Signature: M. E. GiaQuinta]

DATED: 7-28-92.

Sandra E. Kennedy
City Clerk